

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
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Order Filed on May 22, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In Re:

HOLLISTER CONSTRUCTION SERVICES, LLC

Debtor.

Chapter 11

Case No.: 19-27439/MBK

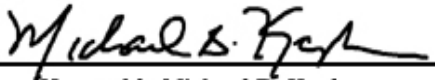
Judge: Honorable Michael B. Kaplan

**ORDER APPROVING SECOND AMENDMENT TO SETTLEMENT AGREEMENT BY AND
BETWEEN THE LIQUIDATING TRUSTEE AND ACCORDIA HARRISON URBAN RENEWAL,
LLC PURSUANT TO FED. R. BANKR. P. 9019 AND GRANTING RELATED RELIEF**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby

ORDERED.

DATED: May 22, 2023



Honorable Michael B. Kaplan
United States Bankruptcy Judge

Debtor: HOLLISTER CONSTRUCTION SERVICES, LLC

Case No.: 19-27439/MBK

ORDER APPROVING SECOND AMENDMENT TO SETTLEMENT AGREEMENT BY AND BETWEEN
THE LIQUIDATING TRUSTEE AND ACCORDIA HARRISON URBAN RENEWAL, LLC PURSUANT
TO FED. R. BANKR. P. 9019 AND GRANTING RELATED RELIEF

THIS MATTER having been opened to the Court upon the Motion of BAK Advisors, LLC, the Liquidating Trustee (the “LT” or “Trustee”) seeking the entry of an order approving a Second Amendment to the Settlement Agreement (“the Amendment”) by and among the Debtor, Accordia Harrison Urban Renewal, LLC, as project owner (“Accordia” or the “HUB Owner”) with respect to that project known as HUB at Harrison, 700 Frank E. Rogers Boulevard, Harrison, New Jersey (the “HUB”) and certain subcontractors, dated December 13, 2019 (the “HUB Settlement Agreement”), pursuant to Fed. R. Bankr. P. 9019 (the “Motion”)¹; and the Court having considered the Motion and any objections filed thereto, and the Court having jurisdiction over the Motion pursuant to 28 U.S.C. §§ 157 and 1334 and the Standing Order of Reference to the Bankruptcy Court Under Title 11 of the United States District Court for the District of New Jersey, dated September 18, 2012 (Simandle, C.J.); and venue being proper in this District pursuant to 28 U.S.C. §§ 1408 and 1409; and the Motion is determined to be a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having determined that granting the relief requested in the Motion is in the best interests of the Debtor, its estate and creditors; and the Court having conducted a hearing on the Motion, at which time the Court heard and considered all oral argument of counsel; and good and sufficient notice of the Motion having been provided to all interested parties, and for good cause shown,

IT IS HEREBY ORDERED as follows:

1. The Motion is **GRANTED** as set forth herein.

¹ Capitalized terms not defined in this Order shall have the meaning ascribed to them in the Settlement Agreement as amended.

Debtor: HOLLISTER CONSTRUCTION SERVICES, LLC

Case No.: 19-27439/MBK

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2. The Second Amendment to the HUB Settlement Agreement is hereby approved.
 3. Notice of the Motion as provided is hereby deemed good and sufficient notice and no further notice is required.
 4. The Liquidating Trustee is authorized to take all actions necessary to effectuate the relief granted pursuant to this Order and the Second Amendment to the HUB Settlement Agreement.
 5. This Order shall be binding on all subcontractors on this Project.
 6. Nothing in this Order or the Second Amendment to the HUB Settlement Agreement shall be binding upon or impact the rights, claims, or defenses of FM Construction Group, LLC. The Trustee, Hollister Liquidating Trust, and HUB Owner, reserve all of their respective rights, claims, or defenses related to FM Construction Group, LLC.
 7. This Order shall be effective immediately upon its entry and the stay imposed by Bankruptcy Rule 6004(h) and/or 6006(b) or any other Rule is hereby waived.
 8. The requirement set forth in Local Rule 9013-1(a)(3) that any motion be accompanied by a memorandum of law is hereby deemed satisfied by the contents of the Motion or otherwise waived.
 9. The Court shall retain exclusive jurisdiction to hear and decide any and all disputes or issues related to or arising from the implementation, interpretation or enforcement of this Order.

In re:
Hollister Construction Services, LLC
Debtor

Case No. 19-27439-MBK
Chapter 11

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin

Page 1 of 1

Date Rcvd: May 22, 2023

Form ID: pdf903

Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
#	Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 24, 2023:

Recip ID	Recipient Name and Address
db	#+ Hollister Construction Services, LLC, 339 Jefferson Road, Parsippany, NJ 07054-3707

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 24, 2023

Signature: /s/Gustava Winters